

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VEANA G. SILVA-PEARSON,

No. C 11-01491 SI

Plaintiff,

**ORDER RESPONDING TO PLAINTIFF'S  
LETTER TO THE COURT AND  
GRANTING PLAINTIFF ADDITIONAL  
TIME TO APPEAL**

v.

BAC HOME LOANS SERVICING, LP ET AL,

Defendants.

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On July 5, 2011 this Court granted defendant BAC Home Loan Servicing's motion to dismiss this case. The Court found, that as a matter of law, plaintiff could not maintain her action asserting BAC breached plaintiff's loan modification agreement where plaintiff's own evidence demonstrated that she did not make the modification payments on time and in the correct amounts. *See* Docket No. 27. Judgment was entered and copies of the Court's order and judgment were mailed to Ms. Pearson on July 7, 2011. Docket Nos. 27 & 28 (Attachment 1, proofs of service)..

On August 12, 2011, the Court received a letter from Ms. Pearson, asserting that she did not receive notice of the Court's order and judgment until July 26, 2011. Ms. Pearson requests that the court "give me an appeal on your ruling and give me my day in court." Docket No. 30 at 2. Ms. Pearson also included additional documentation regarding her loan modification agreement and her claims in the dismissed case.


To the extent Ms. Pearson's letter is asking the Court for reconsideration under Fed. Rule Civ. Proc. 60, that motion is DENIED. The additional documents submitted do not alter this Court's conclusion that Ms. Pearson cannot state a claim as a matter of law. To the extent the letter is asking the Court for an extension of time to file an appeal of this Court's judgment under Fed. Rule of

1 Appellate Proc. 4(a)(5)(A)(i), the Court GRANTS Ms. Pearson a thirty (30) day extension from the date  
2 of this order within which she can file a notice of appeal of the Court's judgment.

3 If Ms. Pearson wishes to file a notice of appeal from this Court's judgment, she must file her  
4 notice of appeal in this Court on or before **September 12, 2011**.

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6 **IT IS SO ORDERED.**

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8 Dated: August 12, 2011

  
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SUSAN ILLSTON  
United States District Judge